

LUCAS COUNTY, OHIO BOARD OF COMMISSIONERS	NUMBER: 6	PAGE 1 OF 4
TITLE: HARASSMENT POLICY	PERSONNEL X ADMINISTRATIVE	RESOLUTION NO: 92-212
EFFECTIVE DATE: 2/13/92	TYPE: X POLICY PROCEDURE	SUPERSEDES: POLICY # PROCEDURE #

GENERAL

A. It is the policy of the Board of Lucas County Commissioners to guard against any improper conduct in all of its departments, divisions, agencies and boards so as to maintain a quality working environment for all of the employees of the Board of Lucas County Commissioners in that they may work free from discrimination, intimidation, humiliation, insult, ridicule, offensive physical or verbal abuse of a sexual, ethnic, racial or religious nature.

1. This policy reaffirms the Board of Lucas County Commissioners' commitment to providing a working environment free from harassment; including sexual or personal harassment.

2. SEXUAL HARASSMENT is a violation of Section 703 of Title VII of the Civil Rights Act of 1964, 42 U.S.C. and defined as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; used as the basis for employment decisions affecting such individual; or such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment."

There are two types of sexual harassment:

a. Quid Pro Quo Harassment - occurs when submission to or rejection of unwelcome sexual conduct either explicitly or implicitly is used as the basis for employment decisions affecting such individual.

b. Environmental or Hostile Environment - unwelcome sexual advances, or other sexually offensive conduct, that doesn't involve a specific reward or punishment, that unreasonably interferes with an individual's job performance, or creates an intimidating, hostile, abusive or offensive working environment.

Sexual Harassment can include, but is not limited to:

i) Verbal:

- *Sexual Innuendo**
- *Suggestive Comments**

**LUCAS COUNTY, OHIO
BOARD OF
COMMISSIONERS**

NUMBER: 6

PAGE: 2 OF 4

- *Threats**
- *Insults**
- *Obscene Joke Telling**
- *Unwelcome Humor and Jokes about sex or gender-specific traits**
- *Sexual Proposals**
- *Unwanted and repeated requests for association**

ii) Non-Verbal:

- *Making sexual or suggestive or insulting noises**
- *Obscene gestures**
- *Whistling**
- *Leering**
- *Written or electronically transmitted messages and/or letters**
- *Pictures, Photographs**

iii) Physical:

- *Touching**
- *Pinching**
- *Squeezing**
- *Patting**
- *Coerced Sexual Activity**
- *Assault**
- *Repeated brushing against body**

3. PERSONAL HARASSMENT In addition to sexual harassment, personal harassment includes, but is not limited to offensive racial, ethnic, physiological, religion-related, or gender-specific jokes, comments, or innuendo, by way of verbal or physical conduct that reasonably could be construed as offensive in nature.

B. It is a violation of this policy to retaliate in any way against any employee of the Board of Lucas County Commissioners who legitimately complains of harassment.

C. No employee of the Board of Lucas County Commissioners shall initiate, engage in alone, or with others, or encourage another to violate any portion of this policy. All supervisors shall be accountable to take steps to prevent harassment incidents from occurring within their work jurisdiction and to report any such incidents coming to their attention to the Director of Human Resources. Nothing in this policy prevents any employee from directly contacting the Lucas County Human Resources/Personnel Department hereinafter referred to as "Personnel Department", to file a formal complaint in addition to or in lieu of contacting their supervisor.

D. An employee who believes she/he has been subjected to harassment, whether sexual or personal, may report, in writing, such complaints to a supervisor of her/his choice, or to the department head or the Personnel Department. No employee is required to report such incident to her/his immediate supervisor.

E. No employee shall file frivolous complaints.

**LUCAS COUNTY, OHIO
BOARD OF
COMMISSIONERS**

NUMBER: 6

PAGE: 3 OF 4

II. INVESTIGATION PROCEDURE

Upon receipt of a harassment complaint, the supervisor or department head shall forward said complaint to the Personnel Department for investigation. A thorough Investigation of a harassment complaint shall be instituted by the Personnel Department with consultation from legal counsel and shall proceed as discreetly and reasonably quickly with the following guidelines:

- 1) Complainant shall be interviewed.**
- 2) Alleged Harasser(s) shall be interviewed including disclosure of alleged allegations.**
- 3) Witnesses, if any, including persons to whom contemporaneous complaints have been made, shall be interviewed.**
- 4) All relevant evidence shall be collected.**
- 5) Evidence shall be weighed.**
- 6) Appropriate action shall be recommended to the Department Head and the Lucas County Commissioners.**

III. RESPONSIBILITY

A. It shall be the responsibility of the Personnel Department to provide overall compliance monitoring of the Board of Lucas County Commissioner's Harassment Policy.

Personnel Department responsibilities are:

- 1. To disseminate this policy and Equal Employment Opportunity Guidelines to every department, division and agency head.**
- 2. To provide sexual harassment awareness education.**
- 3. To conduct formal investigations (with assistance of legal counsel) of any sexual harassment complaint referred to the Personnel Department.**
- 4. To prepare a written investigative report and findings to the Board of Lucas County Commissioners on each formal complaint alleging sexual harassment referred to the Personnel Department.**
- 5. To monitor appropriate personnel action regarding any situation that violates this policy.**
- 6. To compile information on department, division and agency sexual harassment complaints**

**LUCAS COUNTY, OHIO
BOARD OF
COMMISSIONERS**

NUMBER: 6

PAGE: 4 OF 4

B. Under guidelines established by EEOC, an employer is held responsible for its acts and those of its agents and supervisory employees with respect to sexual harassment regardless of whether the specific acts complained of were authorized or even forbidden by the employer and regardless of whether the employer knew or should have known of their occurrence. With respect to conduct between two (2) employees, an employer is held responsible for acts of sexual harassment in the work place where the employer (or its agents or supervisory employees) knew or should have known of the conduct, unless it can be shown that immediate and appropriate corrective action was taken.

C. All department, division and agency heads are responsible for observing and following this Administrative Policy and Procedure.

D. Each department head is responsible for the dissemination of this policy within the department.

IV. PENALTIES

Violation of this policy is a "Failure of Good Behavior". Any employee found to be in violation of this harassment policy, or a supervisor who knowingly allows violation of this policy without taking appropriate action shall be subject to disciplinary action up to and including dismissal.

APPROVED BY:

DATE: